

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CARPENTERS PENSION FUND OF
WEST VIRGINIA, *et al.*,

Plaintiffs,

v.

Civil Action No. 3:20-cv-00338

OCEAN CONSTRUCTION, LLC,

Defendant.

* * * * *

**JUDGMENT BY DEFAULT PURSUANT TO RULE 55
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

It appearing from the record in the above-entitled action that an entry of default for want of answer or other defense was made on August 13, 2020, as to Ocean Construction, LLC, for failure of said Defendant to plead or otherwise defend as provided by the Federal Rules of Civil Procedure; and it appearing that Ocean Construction, LLC, was properly served on with the Summons and Complaint on July 21, 2020; therefore, it is this 8th day of Sept., 2020, by the United States District Court for the Southern District of West Virginia,

ORDERED AND ADJUDGED that judgment by default be entered in favor of the Plaintiffs (collectively, "Fund") and against Ocean Construction, LLC in the total amount of \$656,148.88, which consists of \$557,604.00 in unpaid interim withdrawal liability payments, \$55,760.40 in liquidated damages on unpaid withdrawal liability payment for the period from December 2, 2019, through September 2, 2020; \$38,474.68 in interest; and \$4,309.80 in attorneys' fees and costs as those amounts are set forth in the Fund's Motion for Judgment by Default and its accompanying documents, and it is further

ORDERED AND ADJUDGED that Ocean is enjoined from failing and refusing to make all future interim withdrawal liability payments due to the Fund pursuant to the payment schedule established by the Fund, as required by 29 U.S.C. § 1401(d), and it is further

ORDERED AND ADJUDGED that if further action by the Fund to enforce this judgment is necessary, the Fund may apply to the Court in which enforcement is sought for further reasonable attorneys' fees and costs.


United States District Judge